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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/089,923	04/04/2002	Valentin T Jordanov	150-111 (US)	1254
21091	7590	05/12/2006	EXAMINER	
JOHN H CROZIER 1934 HUNTINGTON TURNPIKE TRUMBULL, CT 06611			JEANGLAUDE, JEAN BRUNER	
			ART UNIT	PAPER NUMBER
			2819	

DATE MAILED: 05/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary
Supplemental

Application No.

10/089,923

Applicant(s)

JORDANOV, VALENTIN T

Examiner

Jean B. Jeanglaude

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on amendment filed on 12-27-05.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1 and 11 is/are allowed.
- 6) ☒ Claim(s) 3-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Remarks

1. The applicant's representative requested a clarification. Chapman's reference ('191), Mason et al. (US Patent Number 5,194,865) and Kuroiwa (US Patent Number 5,210,538) were used in the prior rejection. The clarification is as follows:

Response To amendments/Arguments

Applicant's arguments with respect to claims 1, 3 - 11 have been considered but are moot in view of the new ground(s) of rejection.

Specification

It is suggested to insert the continuing data in the first page, first paragraph of the specification.

Detailed Action

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 10 is rejected under 35 U.S.C. 102(b) as being anticipated by Chapman (US Patent Number 4,827,191).

4. Regarding claim 10, Chapman discloses a method of operating a peak detector (fig. 1) comprising the step of providing a peak detector for an input signal having a noise threshold as well as discrete pulses (in fig. 2, block 12 is a peak detector that receives an input signal); applying the input signal to the peak detector and using the

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peak detector to detect local maxima and local minima of the input signal without detecting local maxima or minima attributable to noise alone when superimposed upon the input signal (an input signal is applied to the peak detector 12 where a local maxima or minima attributable to noise alone when superimposed upon the input signal)[see figs. 1, 2; paragraph bridging col. 1, and 2; col. 2, lines 36 – 54; col. 2, line 57 to col. 3, line 25].

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3 – 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chapman in view of Mason et al. (US Patent Number 5,194,865) and Kuroiwa (US Patent Number 5,210,538).

7. Regarding claims 3 – 9, Chapman discloses the limitations as set forth above including a method of operating a peak detector (fig. 1) that receives an analog signal that is to be digitized (abstract). The system of Chapman comprises a peak detection unit (12, fig. 1) which includes a positive peak detector (13, fig. 1) and negative peak detector (14, fig. 1) that detects the local maximum or local minimum of the input signal (paragraph bridging col. 1, and 2; col. 2, lines 36 – 54) except the method including a switching tracking means. However, Mason et al., in a related field, discloses an analog to digital converter circuit having an automatic range control in which the peak tracker

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circuit (300) is subsequently enabled to select another peak analog signal. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chapman's system with that of Mason et al. in order to generate a reference potential corresponding to a peak amplitude of the analog signal to be converted.

8. Moreover, Chapman in combination with Mason discloses the limitations as discussed above except the method that stores the value of the tracked value as maximum or minimum value and compares a maximum or a minimum value with a threshold value. However, Kuroiwa, in a related field, discloses a glitch detection circuit and method that comprise a storing means (24, 25) wherein the maximum and minimum values are recorded (col. 7; lines 10 – 14) and comprises a comparing means (46, 52, fig. 1) that compares maximum or minimum value with a threshold value (col. 1, line 61 to col. 2, line 14). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chapman and Mason et al.' circuit with that of Kuroiwa's system in order to detect a glitch that is included in an input signal of an oscilloscope and the combination of Chapman and Mason would achieve the same end result as the claimed invention.

Allowable Subject matter

9. Claims 1, 11 are allowable.
10. Reasons for allowing these claims will be provided in the next office action.

Conclusion

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11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean B. Jeanglaude whose telephone number is 571-272-1804. The examiner can normally be reached on Monday - Friday 7:30 A. M. - 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rexford Barnie can be reached on 571-272-7492. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in cursive script, reading "Jean Bruner Jéanglaude".

Jean Bruner Jéanglaude

Primary Examiner

May 11, 2006